
HOUSE BILL No. 1089

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-8-16.5-51.

Synopsis: PSAPs operated by excluded cities. Expands the exemption from the statute prohibiting a county from containing more than two public safety answering points (PSAPs) after December 31, 2014, to allow more than two PSAPs if any additional PSAPs are operated by an excluded city, in the case of a county having a consolidated city. (Current law provides an exemption from the limit if any additional PSAPs are operated by: (1) a state educational institution; or (2) an airport authority established for a county having a consolidated city.)

Effective: Upon passage.

Barnes

January 5, 2010, read first time and referred to Committee on Veterans Affairs and Public Safety.

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Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

HOUSE BILL No. 1089

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-8-16.5-51, AS ADDED BY P.L.137-2008,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 51. (a) For purposes of this section, a PSAP
4 includes a public safety communications system operated and
5 maintained under IC 36-8-15.

6 (b) As used in this section, "PSAP operator" means:

7 (1) a political subdivision; or

8 (2) an agency;

9 that operates a PSAP. The term does not include a ~~state educational~~
10 ~~institution that operates a PSAP or an airport authority established for~~
11 ~~a county having a consolidated city: any entity described in~~
12 ~~subsection (c)(1) through (c)(3).~~

13 (c) Subject to subsection (d), after December 31, 2014, a county
14 may not contain more than two (2) PSAPs. However, a county may
15 contain one (1) or more PSAPs in addition to the number of PSAPs
16 authorized by this section, as long as any additional PSAPs are
17 operated by:



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(1) a state educational institution; ~~or~~

(2) an airport authority established for a county having a consolidated city; ~~or~~

(3) in a county having a consolidated city, an excluded city (as defined in IC 36-3-1-7).

(d) If, on March 15, 2008, a county does not contain more than one (1) PSAP, not including any PSAP operated by an entity described in subsection (c)(1) ~~or (c)(2)~~, **through (c)(3)**, an additional PSAP may not be established ~~or and~~ operated in the county on or after March 15, 2008, unless the additional PSAP is established and operated by:

(1) a state educational institution;

(2) in the case of a county having a consolidated city, an airport authority established for the county; or

(3) the municipality having the largest population in the county or an agency of that municipality.

(e) Before January 1, 2015, each PSAP operator in a county that contains more than the number of PSAPs authorized by subsection (c) shall enter into an interlocal agreement under IC 36-1-7 with every other PSAP operator in the county to ensure that the county does not contain more than the number of PSAPs authorized by subsection (c) after December 31, 2014.

(f) An interlocal agreement required under subsection (e) may include as parties, in addition to the PSAP operators required to enter into the interlocal agreement under subsection (e), any of the following that seek to be served by a county's authorized PSAPs after December 31, 2014:

(1) Other counties contiguous to the county.

(2) Other political subdivisions in a county contiguous to the county.

(3) Other PSAP operators in a county contiguous to the county.

(g) An interlocal agreement required under subsection (e) must provide for the following:

(1) A plan for the:

(A) consolidation;

(B) reorganization; or

(C) elimination;

of one (1) or more of the county's PSAPs, as necessary to ensure that the county does not contain more than the number of PSAPs authorized by subsection (c) after December 31, 2014.

(2) A plan for funding and staffing the PSAP or PSAPs that will serve:

(A) the county; and

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- 1 (B) any areas contiguous to the county, if additional parties
 2 described in subsection (f) participate in the interlocal
 3 agreement;
 4 after December 31, 2014.
 5 (3) Subject to any applicable state or federal requirements,
 6 protocol to be followed by the county's PSAP or PSAPs in:
 7 (A) receiving incoming 911 calls; and
 8 (B) dispatching appropriate public safety agencies to respond
 9 to the calls;
 10 after December 31, 2014.
 11 (4) Any other matters that the participating PSAP operators or
 12 parties described in subsection (f), if any, determine are necessary
 13 to ensure that the county does not contain more than the number
 14 of PSAPs authorized by subsection (c) after December 31, 2014.
 15 (h) This section may not be construed to require a county to contain
 16 a PSAP.
 17 **SECTION 2. An emergency is declared for this act.**

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